IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 18574 OF 2005

Dated : August 22, 2005

Between:

Battu Narasamma

Petitioner

AND

The Mandal Revenue Officer,

Badrachalam, Khammam District.

Respondent

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 18574 OF 2005

ORAL ORDER:

Aggrieved of the action of the respondent in taking steps to

dispossess the petitioner from the lands in Sy.No.175/4 and 182/5 to an extent of Ac.1.23 cents and Ac 3.05 cents of Yatapaka village, Bhadrachalam Mandal, the petitioner filed this writ petition.

It is stated that the above lands were occupied by the forefathers of the petitioner's husband about seven decades back and have been paying the taxes. In the year 2002, her husband died and thereafter she has been in possession and enjoyment and has been doing agricultural operations. While so, at the behest of the local leaders, the respondent is trying to dispossess her from the lands and in furtherance of this object, on 19.8.205, the staff of the respondent and local leaders visited the land and threatened to vacate the lands within three days. Therefore, the petitioner came up with the instant writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader.

The issue involved in this writ petition is no more *res integra* in view of the guidelines issued by a Division Bench of this court in *Pilli Lakshmana Rao and others Vs. Executive Officer, Gram Panchayath, Challapalle and others ()*, wherein it is held that when any property is required for public purpose, the authorities straightaway cannot take the law into their hands and jump into the premises and attempt to evict the occupants or dispossess them their property. Before taking any such action, the authorities concerned shall issue a notice notifying as to the nature of the property, the purpose for which it is required, to whom it belongs and the action proposed calling for explanation or objections, if any, from the occupants and after considering the said objections or explanation, the authorities shall pass appropriate orders.

Having regard to these guidelines, the respondent is directed to follow the guidelines issued in *Pilli Lakshmana Rao* case, if they intend to dispossess the petitioner from the lands in question, as averred in the affidavit.

With these directions, the writ petition stands disposed of. No order as to costs.

Elipe Dharma Rao, J.

August 22, 2005

MAS